



08/754,827

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address : COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/754,827	11/22/96	HANSEN	43876-84

B3M1/0911

MCDERMOTT WILL & EMERY  
1850 K STREET NW STE 450  
WASHINGTON DC 20006-2296

EXAMINER

SHAH, A

ART UNIT

2302

PAPER NUMBER

4

09/11/97

DATE MAILED:

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 11/22/96 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire three (3) month(s), \_\_\_\_\_ days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948.        |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.                 | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474.     | 6. <input type="checkbox"/> _____  |

**Part II SUMMARY OF ACTION**

1. ☒ Claims 33-43 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2. ☒ Claims 1-32 and 44-70 have been cancelled.

3. ☐ Claims \_\_\_\_\_ are allowed.

4. ☒ Claims 33-43 are rejected.

5. ☐ Claims \_\_\_\_\_ are objected to.

6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

7. ☐ This application has been filed with Informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☒ The ~~drawings~~ drawings have been received on 11/22/96. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☒ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed on \_\_\_\_\_, has been ☐ approved. ☐ disapproved (see explanation).

12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received  
☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☒ ~~See~~ See attached office action

EXAMINER'S ACTION

Art Unit: 2302

15. Claims 33-43 are presented for examination.

16. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

17. Applicant is reminded of the provision of MPEP. 608.02 (q) and (r) regarding a separate letter to the chief draftsman.

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

20. Claims 33-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniel (USPN: 5,201,056).

21. Daniel et al disclose a high bandwidth processor interface for receiving and transmitting a media stream. The interface comprises a data path operable to transmit media information, a

Art Unit: 2302

plurality of memory controllers coupled to the data path in series to communicate stored media information to and from the data path, and a plurality of memory elements coupled to each of the plurality of memory controllers in parallel for storing and retrieving the media information. [see abstract, column 2 (line 19)-column 3 (line 23), and column 3 (line 33)-column 7 (line 38)].

22. Daniel did not explicitly give details about transmitting media information at substantially peak rate. However, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Daniel's system such that the transmission of the media information is performed at substantially peak rate because it would have allowed the system to perform the data transfer operations at much higher data rate based on the system requirements, thereby increasing the overall data transfer rate of the system and hence increase the overall performance of the system.

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakagawa et al (USPN: 5,426,600).

Mason et al (USPN: 5,268,855).

Freerksen (USPN: 4,975,868).

Alsup et al (USPN: 4,893,267).

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alpesh M. Shah whose telephone number is (703) 305-9698. The examiner can normally be reached on Mon.-Fri. from 7:30 am to 5:00 pm.

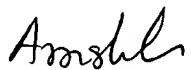
Serial Number: 08/754,827

Page 4

Art Unit: 2302

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alyssa H. Bowler, can be reached on (703) 305-9702. The fax phone number for this Group is (703) 308-5358.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

  
**ALPESH M. SHAH  
PATENT EXAMINER  
GROUP 2300**

A. Shah/kw